

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA)
Plaintiff,) 2:03-cr-0010-LRH-PAL
v.)
JOSEPH COPPOLA,) ORDER
Defendant.)

Before the court is the Ninth Circuit’s order on remand for the limited purpose of addressing several motions filed by defendant Joseph Coppola (“Coppola”) before this court and the Ninth Circuit simultaneously. Doc. #258.

The documents identified by the Ninth Circuit were filed on this court's docket as document numbers 247, 248, 250, and 251 which correlate to Coppola's motion for a certificate of appealability (Doc. #247); motion to proceed in forma pauperis (Doc. #248); renewed motion for a certificate of appealability (Doc. #250); and motion for leave to amend motion to vacate or correct sentence pursuant to 28 U.S.C. § 2255 (Doc. #251). Prior to the Ninth Circuit's order, the court previously addressed and denied these motions in the court's August 14, 2014 order. Doc. #255.

However, although the court denied Coppola's motions, the court did not address the timeliness of Coppola's motions or his appeal. The court now takes this opportunity to confirm that although the court has denied Coppola's certificate of appealability, the court finds that the subject

1 post-trial motions are timely, and that the time for his appeal is tolled until entry of this order.
2 Therefore, in compliance with the Ninth Circuit's order on remand, the court finds that Coppola's
3 motions and his appeal are timely.

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5 IT IS SO ORDERED.

6 DATED this 8th day of January, 2015.

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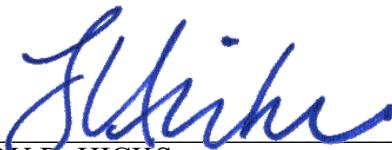
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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE